

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

IN THE MATTER OF)
)
THE EXTRADITION OF) Misc. No. 23-169
) **[UNDER SEAL]**
Dok-Or CHOTANA)
COMPLAINT
(18 U.S.C. § 3184)

I, the undersigned Assistant United States Attorney, being duly sworn, state on information and belief that the following is true and correct:

1. In this matter, I represent the United States in fulfilling its treaty obligation to the Kingdom of Thailand (“Thailand”).

2. There is an extradition treaty in force between the United States and Thailand. *See* Extradition Treaty with Thailand, U.S.-Thail., Dec. 14, 1983, S. TREATY DOC. NO. 98-16 (1984) (the “Treaty”). Pursuant to the Treaty, the Government of Thailand has submitted a formal request through diplomatic channels for the extradition of Dok-Or Chotana (“Chotana”), a Thai national.

3. According to the information the Government of Thailand has provided, Chotana is charged with (1) forgery, in violation of section 264 of the Thai Penal Code (“TPC”); (2) forgery of title or official document, in violation of TPC section 265; (3) use of a forged document, in violation of TPC section 268; (4) forgery of electronic card, in violation of TPC section 269(1); (5) unauthorized use of forged electronic card, in violation of TPC section 269(4); and (6) theft from an employer, in violation of TPC section 335.

4. These offenses were committed within the jurisdiction of Thailand. Between 2015 and 2016, the Chiang Mai Provincial Court issued a total of 39 warrants for Chotana’s arrest, each corresponding to a separate victim. Details concerning Chotana’s crimes against the

victims appear in the accompanying chart (**Exhibit 1** hereto).¹ According to the materials from Thailand:

a. Chotana was an assistant bank manager and advisor of high net worth individuals at a local branch of Kasikorn Bank in Chiang Mai, Thailand. From as early as 2009 through January 2015, Chotana – through a combination of forgery, utilizing forged documents, and fraud – stole money from 39 clients of the bank (the “victims”) in the total amount of approximately 323,765,360 Thai Baht (“THB”) (approximately USD \$9.5 million). In each of these instances, Chotana utilized her knowledge of the victim’s financial assets and her unique employee ID number. The bank subsequently reimbursed the clients. The crimes are divided into two general schemes:

b. Unauthorized withdrawals: In these instances, Chotana used her employee-specific code (19535) to access clients’ banking information (including ATM information in at least one instance), which she then utilized to withdraw clients’ funds without their permission. In at least two instances, Chotana also forged the victim’s signature on the associated withdrawal slip to make it appear as though the victim had performed the withdrawal.

c. Mutual fund scheme: In these instances, Chotana advised clients on various available mutual funds and fraudulently represented that she would deposit the clients’ money into the mutual fund they chose. Once a client decided to invest, the client would bring Chotana money to invest in the fund, or Chotana would withdraw money from the client’s bank account for that purpose. In reality, Chotana either failed entirely to deposit the client’s money into the mutual fund or deposited only a partial amount. To trick clients into believing that she was depositing their money into the mutual fund, Chotana either (1) used a typewriter, rather than the

¹ The chart itemizes the 36 cases that include timely charges under Thai law as of the date

bank's computer system, to forge entries memorializing the purported "transaction" in the client's passbook (bank book); or (2) falsely represented that she was keeping the client's passbook for the sake of convenience, to facilitate future transactions. Chotana thereby avoided making an electronic entry into the banking system for audit or accounting.

d. In December 2014, the bank began internal investigations. In February 2015, Chotana fled to the United States.

e. Thai authorities ascertained the above information from sources including testimony from the victims, all of whom had personal interactions with Chotana; bank employees; and bank records.

f. The manager of the bank where Chotana worked has identified a photograph as depicting Chotana.

5. Chotana may be found within the jurisdiction of this Court at 430 Grove Street in Greensburg, PA.

6. Tom Heinemann, an attorney in the Office of the Legal Adviser of the U.S. Department of State, has provided the U.S. Department of Justice with a declaration authenticating a copy of the diplomatic note by which the request for extradition was made and a copy of the Treaty, stating that the Treaty covers the offenses for which Thailand seeks extradition, and confirming that the documents supporting the request for extradition bear the certificate or seal Ministry of Foreign Affairs of Thailand, in accordance with Article 9 of the Treaty, so as to enable them to be received into evidence.

7. The declaration from the U.S. Department of State with its attachments, including a copy of the diplomatic note from Thailand, a copy of the Treaty, and the certified documents

of this Complaint.

from Thailand in support of the request, (collectively, **Exhibit 2** hereto) are filed with this complaint and incorporated by reference herein.

8. The fugitive likely would flee if she learned of the existence of a warrant for her arrest.

WHEREFORE, the undersigned requests that a warrant for the fugitive's arrest issue in accordance with 18 U.S.C. § 3184 and the Treaty, so that the fugitive may be arrested and brought before this Court to the end that the evidence of criminality may be heard and considered, and that this complaint and the warrant be placed under the seal of the Court until such time as the warrant is executed.

/s/ Jeffrey R. Bengel
Jeffrey R. Bengel
Assistant United States Attorney

Sworn and subscribed before me, by telephone,
This 14th day of February, 2023.

Cynthia R. Eddy

HONORABLE CYNTHIA REED EDDY
United States Magistrate Judge

